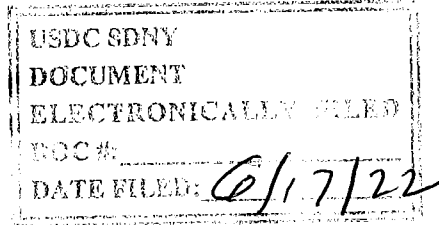


MEMORANDUM ENDORSEMENT

Maldonado v. Gunsett et al,
21 CV 3719 (VB)



6/17/22
Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

In the attached letter dated June 7, 2022 (Doc. #52), plaintiff, proceeding pro se and in forma pauperis, states that the Attorney General “keeps making mistakes” in its June 2, 2022, letter to the Court (Doc. #48), regarding the dates of certain incidents alleged in the second amended complaint. Plaintiff also requests that the Court order plaintiff’s transfer from Mid-State Correctional Facility—where plaintiff currently resides—to protect him from unspecified retaliation from one of the correction officers working at the facility whom the Attorney General recently identified as a “John Doe” defendant in the second amended complaint. (Doc. #48).

With respect to the Attorney General’s purported “mistakes,” the Court’s review of the parties’ submissions indicates that there is no inconsistency between the parties’ understanding of the dates of the incidents that allegedly took place in 2005. That is, both plaintiff and the Attorney General appear to agree that the alleged incidents took place on February 1, 2005, and April 12, 2005.

Accordingly, plaintiff’s time to file a third amended complaint including the names of the additional John Doe defendants identified by the Attorney General remains July 1, 2022, as set forth in the Court’s Order dated June 10, 2022. (Doc. #50).

With respect to plaintiff’s request for injunctive relief, that request is DENIED. Even if the Court had the authority to provide such relief—which it does not—plaintiff’s general fear of future retaliation is too speculative to warrant injunctive relief.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at his address on the docket.

Dated: June 17, 2022
White Plains, NY

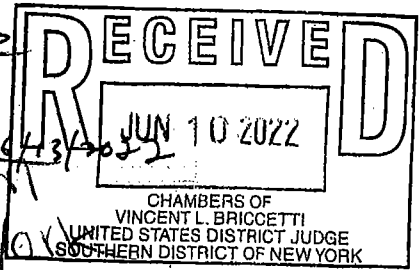
SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti".

Vincent L. Briccetti
United States District Judge

June 7, 2022

TO: Hon. Vincent Briccetti
 United States District Court
 Southern District of New York
 300 Quarropas st
 white Plains, N.Y. 10601



Re: MALDONADO v. Gunsett, 21 Civ. 03719 (VB)

Dear Judge Briccetti:

This letter is in response to
 ASS. Attorney General letter to you on June 2, 2022
 In response to the Court's March 21, 2022 order (Dkt. No 24)
 requesting that his office continue to Attempt to Ascertain
 the Identities of the remaining "John Doe" Defendants
 sued in the Second Amendment Complaint (SAC)

ASS. Attorney General Bruce J. Turkle
 Made A few MISTAKES in his letter to you about the
 dates of the Sexual Assault and the physical assaults
 Feb 1, 2005, In H-Block, was the initial assault
 Plaintiff, the shower Incident was April 19, 2005 against
 where Plaintiff was sexually assaulted by officer Gunsett,
 another officer and a Sergeant held me down.
 If the ASS. Attorney General Bruce J. Turkle,

At Green Haven Corr. Fac. On Mother's Day 2005 (MAY)
 while being escorted to the visit, the escort Sergeant was
 distracted by a phone-call, while officer holding me (Plaintiff)
 force Plaintiff into a room, where several officers
 assaulted Plaintiff. Afterwards, Plaintiff was escorted
 to O.B.S. Mental Health, And the visit was terminated
 why don't the ASS. Attorney General Bruce J. Turkle
 find the names of those officers and the log-book where
 Plaintiff was admitted to O.B.S. Mental Health.
 The dates and incidents are being reviewed.

I could do better during discovery. Sincerely,
 CC ASS. Attorney General
 Bruce J. Turkle
 Date June 7, 2022

Do not file this
 so ordered
 6/13/22